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INFO RUEHZK/ECOWAS COLLECTIVE  
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RUEHCD/AMCONSUL CIUDAD JUAREZ 0425  
RUEHIT/AMCONSUL ISTANBUL 0424  
RUEHSO/AMCONSUL SAO PAULO 0406  
RUFOADA/JAC MOLESWORTH AFB UK  
RUEKJCS/SECDEF WASHINGTON DC  
RUCPDO/DEPT OF COMMERCE WASHDC  
RHEBAAA/DEPT OF ENERGY WASHINGTON DC  
RUEATRS/DEPT OF TREASURY WASHDC  
RUEAIIA/CIA WASHINGTON DC  
RHEFDIA/DIA WASHINGTON DC

C O N F I D E N T I A L LAGOS 000481

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STATE FOR AF/W, INR/AA, DS/IP/AF, DS/ICI/PII, DS/DSS/OSAC  
WARSAW FOR LISA PIASCIK  
CIUDAD JUAREZ FOR DONNA BLAIR  
ISTANBUL FOR TASHAWNA SMITH  
SAO PAULO FOR ANDREW WITHERSPOON  
OSLO FOR HELENA SCHRADER  
DOE FOR GPERSON, CAROLYN GAY  
TREASURY FOR ASEVERENS, SRENENDER, DFIELD  
COMMERCE FOR KBURRESS  
STATE PASS USTR FOR ASST USTR FLISER  
STATE PASS TRANSPORTATION FOR MARAD  
STATE PASS OPIC FOR ZHAN AND MSTUCKART  
STATE PASS TDA FOR NCABOT  
STATE PASS EXIM FOR JRICHTER  
STATE PASS USAID FOR GWEYNAND AND SLAWAETZ

E.O. 12958: DECL: 06/28/2017

TAGS: [PGOV](#) [PREL](#) [PTER](#) [NI](#)

SUBJECT: EDO STATE ELECTION TRIBUNAL POSSIBLY BRIBED BY PDP

REF: LAGOS 457

Classified By: Consul Alan B. C. Latimer for reasons 1.4 (B) and (D)

¶1. (U) Adams Oshiomole, Action Congress (AC) governorship candidate and former President of the Nigeria Labor Congress (NLC), has challenged recently-elected Governor Oserheimen Osunbor of the People's Democratic Party (PDP) in the Edo State Election Tribunal. Oshiomole was largely viewed as one of the strongest opposition candidates in Nigeria's 2007 gubernatorial elections. During the last hearing, Osunbor's lawyers raised objections to Oshiomole's case, claiming his lawyers submitted improper documentation and signatures. On July 4, the Tribunal is set to rule on the objections.

¶2. (C) If the Tribunal rules in the PDP's favor on July 4, the AC will be forced to submit another case, Denja Yaqub, Assistant Secretary to the NLC and Oshiomole confidant, told Poloff June 26. Yaqub suggested there could be internal party pressure to maintain current appointments since the AC won eight seats in the State House of Assembly during the April 14 elections and may be loath to give them up. Yaqub could not say how wide the divide within the state party had become, nor whether it would affect Oshiomole's ability to return Osunbor to the Tribunal. However, the Supreme Court ruling reinstating Governor Obi of Anambra State gives petitioners hope, Yaqub commented, because Yar'Adua respected the Court's decision and was "not bullish like Obasanjo." (Reftel).

¶3. (C) While Yaqub thought the AC had a strong legal argument, he suspected the PDP would manage to influence the ruling. Yaqub met Oshiomole's lawyers on June 26 and was shown evidence a member of the Tribunal had been bribed. Among the evidence was a copy of a check for naira 500 million (approximately USD 4 million) sent from an Edo State government account to an individual on the Tribunal, as well as proof from the bank showing when, and by whom, the check was cashed. If Oshiomole's case is thrown out of the tribunal, Yaqub said the aggrieved leader may consider taking his case and evidence of bribery to a higher court.

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Comment  
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¶4. (C) That Oshiomole lost the Edo State governorship election, despite being the most popular candidate, was a surprise. After the efforts the PDP took to rig the elections, it can be expected to use bribery or other means of influencing the court to toss out the case on technical grounds. While Oshiomole may take an unfavorable Tribunal ruling to a higher court, he may not have his party's support. Furthermore, while the courts have addressed narrow issues of interpretation, they have been reluctant to overturn cases involving vote rigging. The Tribunal proceedings have the potential to offer aggrieved candidates a venue through which they could redress electoral fraud or vote rigging. End Comment.  
LATIMER